

**FILED**Loren Jackson  
District Clerk

MAR 13 2009

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MODX  
OSRFX  
J.L.

CAUSE NO. 2009-01433

BANDAS LAW FIRM, P.C., AND  
MOULTON & MEYER, L.L.P.

VS.

RIGHT OF WAY MAINTENANCE  
EQUIPMENT COMPANY D/B/A  
ROWMEC§  
§  
§  
§  
§  
§  
§

IN THE DISTRICT COURT

Time: \_\_\_\_\_

Harris County, Texas

Deputy

113<sup>th</sup> JUDICIAL DISTRICT

HARRIS COUNTY, TEXAS

**ORDER GRANTING PLAINTIFF BANDAS LAW FIRM, P.C.'S MOTION FOR  
PARTIAL SUMMARY JUDGMENT**

CAME ON TO BE HEARD Plaintiff Bandas Law Firm, P.C.'s Motion for Partial Summary Judgment. The Court finds that proper notice of this motion was given to opposing counsel, in accordance with the Texas Rules of Civil Procedure. The Court further finds that Defendant Right of Way Maintenance Equipment Company d/b/a Rowmec did not file a response to Plaintiff Bandas Law Firm, P.C.'s Motion for Partial Summary Judgment. Having reviewed the motion, the summary judgment evidence attached to this motion, the pleadings on file herein, and the applicable law, the Court finds that said motion is meritorious and well-taken.

Accordingly, Plaintiff Bandas Law Firm, P.C.'s Motion for Partial Summary Judgment is hereby GRANTED. The Court hereby ORDERS Loren Jackson, the Harris County District Clerk, to release interpled funds totaling 45% of \$3,600,000.00 (\$1,620,000.00). The Court further ORDERS Mr. Jackson to release the above-referenced funds to Chris Bandas of Bandas Law Firm, P.C. and tender a check made payable to Chris Bandas of Bandas Law Firm, P.C. for 45% of \$3,600,000.00 (\$1,620,000.00). The Court further ORDERS Mr. Jackson to release the above-referenced funds to Chris Bandas of Bandas Law Firm, P.C. at any time after March 12, 2009. The above-referenced funds shall be released, as specified above, unless a further order from this Court is issued. The Court ORDERS counsel for Plaintiffs Bandas Law Firm, P.C. and Moulton & Meyer, L.L.P. to provide written notice of this order to Christopher R.

Johnston, Lester R. Buzbee, III, Alexander C. Chae, Robert L. Lowe, Jr., and David J. McTaggart, counsel for all other parties to this lawsuit, by 5:00 p.m. on March 9, 2009.

It is so ORDERED.

Signed on this the 13<sup>th</sup> day of March, 2009.



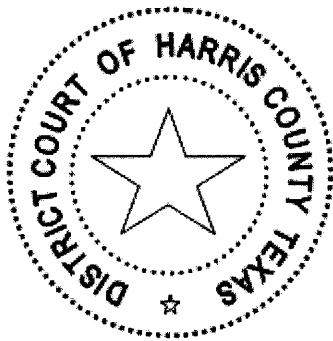
JUDGE PRESIDING

**APPROVED AND ENTRY REQUESTED:**

**HAYS, McCONN, RICE & PICKERING**

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**ATTORNEYS FOR PLAINTIFFS  
BANDAS LAW FIRM, P.C. AND  
MOULTON & MEYER, L.L.P.**



I, Loren Jackson, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date  
Witness my official hand and seal of office  
this September 02, 2009

Certified Document Number: 41405807 (Total Pages 2)

LOREN JACKSON, DISTRICT CLERK  
HARRIS COUNTY, TEXAS